

VZCZCXRO0491

OO RUEHAO RUEHCD RUEHGA RUEHGD RUEHGR RUEHHA RUEHHO RUEHMC RUEHMT  
RUEHNG RUEHNL RUEHOU RUEHRD RUEHRC RUEHRS RUEHTM RUEHVC  
DE RUEHDG #1164 2751726  
ZNR UUUUU ZZH  
O 021726Z OCT 09  
FM AMEMBASSY SANTO DOMINGO  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3519  
INFO RUEHWH/WESTERN HEMISPHERIC AFFAIRS DIPL POSTS PRIORITY

UNCLAS SANTO DOMINGO 001164

SIPDIS

WHA/CAR FOR WSMITH, GSCHADRACK

E.O. 12958: N/A

TAGS: [KCRM](#) [KJUS](#) [PGOV](#) [DR](#)

SUBJECT: GODR INSTITUTIONAL SUPPORT FOR PROSECUTORS IN PAYA  
NARCO-MURDER CASE

REF: A. 08 SDO 1296

[1](#)B. SDO 817

[¶](#)1. (U) SUMMARY: The Supreme Court, in response to threats against judicial authorities by some of the 25 defendants accused of complicity in the 8/5/08 slaying of seven suspected narcotraffickers in Paya, Bani Province, transferred the trial from a provincial court to a tribunal in Santo Domingo. The Supreme Court also ordered four of the defendants moved to separate prisons. The Supreme Court's actions were formally requested by Attorney General Radhames Jimenez Pena, who publicly emphasized his support for the prosecutors in the case during a press event where he was joined by the Secretary of the Armed Forces, the Chief of Police and the presidential anti-narcotics advisor. END SUMMARY.

[¶](#)2. (U) The Paya murder case (Ref A), in which six Colombians and a Dominican were victims of gangland-style executions, is generally considered a major test case for antinarcotics prosecution. Twenty-five defendants, including several ex-military officers, are currently being tried in connection with the crime. At the latest hearing, on 9/18/09, some of the defendants insulted and threatened the judge and prosecutors.

[¶](#)3. (U) On 9/22, Attorney General Jimenez was joined at a press event by Secretary of the Armed Forces General Rafael Pena Antonio, National Police Chief General Guzman Fermin, and the presidential anti-drug and anti-corruption advisor Marino Vinicio "Vincho" Castillo. The four declared their support for the prosecutors in the case and announced that they were requesting that the Supreme Court transfer the trial to Santo Domingo in the interests of public safety, justice and security.

[¶](#)4. (U) The Supreme Court, on 9/28, formally assigned the case to a Santo Domingo court. It also ordered four of the defendants transferred to new prisons where, the authorities have pointed out, they will not have access to cell phones and may be subject to other measures that will enhance security. (Note: Convicted narcotraffickers in the DR have been known to have had access to cell phones and more in prison, reftel B. End Note)

[¶](#)5. (U) COMMENT: The Paya killings shocked the Dominican public and the trial of those tied to the murders is now seen as a test case for high-profile narcotics prosecutions. It has now also become a test as to whether the judicial process can handle attempts to obstruct justice through threats and intimidation. In that sense, the combined expression of support for the prosecutors by the Attorney General, the heads of the Armed Forces and National Police and the presidential anti-drug advisor was a positive development. The latter has even gone so far as to advocate special courts to handle drug-trafficking related cases - as in Colombia. END COMMENT.

LAMBERT